

RESOLUTION NO. 11544

**A RESOLUTION DECLARING RESULTS OF SPECIAL ANNEXATION ELECTION,  
DETERMINING VALIDITY OF PRIOR PROCEEDINGS, AND DIRECTING  
RECORDING OF AMENDED NOTICE OF SPECIAL TAX LIEN**

**CITY OF CAMPBELL**

**Community Facilities District No. 1  
Annexation No. 1**

**RESOLVED** by the City Council (the "Council") of the City of Campbell (the "City"), County of Santa Clara, State of California, that:

**WHEREAS**, in proceedings heretofore conducted by the Council pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (the "Act"), this Council has heretofore adopted a resolution calling a special election of the qualified electors in the territory of land proposed to be annexed to Community Facilities District No. 1 (the "CFD"); and

**WHEREAS**, pursuant to the terms of the resolution of the City Council entitled "A Resolution Submitting Annexation of Territory and Levy of Special Taxes to Qualified Electors" (the "Election Resolution") adopted by the City Council on January 15, 2013, which is hereby incorporated herein by this reference, the special election has been held and the City Clerk has filed a Canvass of Votes Cast in Special Election (the "Canvass"), a copy of which is attached hereto as Exhibit A; and,

**WHEREAS**, this Council has reviewed the Canvass and hereby approves it.

**NOW, THEREFORE, IT IS HEREBY ORDERED** as follows:

- 1. Issue Presented.** The issues presented at the special election were (i) the annexation of territory to the CFD and (ii) the levy of a special tax within the territory annexed to the CFD.
- 2. Measure Approved.** Pursuant to the Canvass, the issues presented at the special election were approved by the qualified electors of the territory proposed for annexation to the CFD by more than two-thirds of the votes received at the special election.
- 3. Annexation Completed.** Pursuant to the voter approval, the territory in the captioned annexation is hereby declared to be fully annexed to and part of the CFD.
- 4. Authority to Levy Special Taxes.** Pursuant to the voter approval, this Council may levy special taxes in the territory in the captioned annexation according to the rate and method of apportionment specified in the Election Resolution.
- 5. Prior Proceedings.** It is hereby found that all prior proceedings and actions taken by this Council pursuant to the CFD and the territory annexed thereto were valid and in conformity with the Act.
- 6. Amendment to Notice of Lien.** Within 15 days of the date of this Resolution, the City Clerk shall execute and cause to be recorded in the office of the County Recorder of the County

of Santa Clara an amendment to the Notice of Special Tax Lien as required by Section 3117.5 of the California Streets and Highways Code.

7. **Effective.** This resolution shall take effect upon its adoption.

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**PASSED AND ADOPTED** this 7<sup>th</sup> day of May, 2013 by the following roll call vote:

AYES : Councilmembers: Kotowski, Cristina, Baker, Waterman, Low

NOES : Councilmembers: None

ABSENT : Councilmembers: None

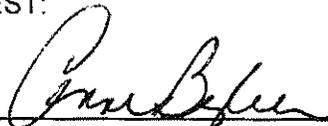
ABSTAIN: Councilmembers: None

APPROVED:



\_\_\_\_\_  
Evan D. Low, Mayor

ATTEST:



\_\_\_\_\_  
Anne Bybee, City Clerk

**EXHIBIT A**

**CITY OF CAMPBELL  
Community Facilities District No. 1  
Annexation No. 1**

**CANVASS AND STATEMENT OF RESULT OF ELECTION**

I hereby certify that I canvassed the returns of the election held on April 16, 2013, in the territory proposed for annexation to City of Campbell Community Facilities District No. 1, which election is designated as the Special Tax Annexation Election, and the total number of ballots cast in the territory proposed to be annexed and the total number of votes cast for and against the measures are as follows and the totals as shown for and against the measures are full, true and correct:

**BALLOT MEASURE A:** Subject to the voters approving Ballot Measure B, to finance public services described in the City Council's Resolution No. 11501, "A Resolution Submitting Annexation of Territory and Levy of Special Taxes to Qualified Electors," shall the City of Campbell be authorized to annex to the City of Campbell Community Facilities District No. 1 the territory described in such resolution?

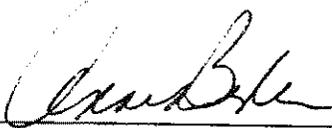
Qualified Votes	Votes Cast	YES	NO	Under/Over Votes
692	394	356	36	2

**BALLOT MEASURE B:** Subject to the voters approving Ballot Measure A, to finance public services described in the City Council's Resolution No. 11501, "A Resolution Submitting Annexation of Territory and Levy of Special Taxes to Qualified Electors," shall the City of Campbell be authorized to levy special taxes within the territory proposed for annexation to the City of Campbell Community Facilities District No. 1 according to the rate and method of apportionment attached as Exhibit A to such resolution?

Qualified Votes	Votes Cast	YES	NO	Under/Over Votes
692	394	354	38	2

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND this 7<sup>th</sup> day of May, 2013.

CITY OF CAMPBELL

By:   
Anne Bybee, City Clerk